Docket No.: 50193-136 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
MURRAY, ANDREW	:	Confirmation Number: 5305
Serial No.: 09/677,592	:	Group Art Unit: 1642
Filed: October 03, 2000	:	Examiner: FETTEROLF, Brandon J.

For: TARGETING CELLS HAVING MAD2 MUTATION FOR TREATMENT AND/OR PREVENTION OF DISEASE

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the restriction Requirement mailed June 2, 2004. Accordingly, this response is due on or before September 2, 2004, together with the fee for two months extension of time.

The Examiner required restriction to one of the following groups of claims for prosecution in this application:

Group I - claims 1-7, directed to a method of identifying a drug that inhibits the growth or replication of a cell having a mutated MAD2 gene;

Group II - claims 8-10, directed to a method of identifying a compound useful in the treatment of tumor cells having a mutated MAD2 gene;

Group III - claim 11, directed to a drug screening assay;

Group IV - claim 12, directed to a method for screening for the presence of benign or malignant cell growth in a tissue sample;

Group V - claims 13 and 14, directed to a pharmaceutical composition capable of selectively interacting with a gene in a target cell;

Group VI - claims 15-18, directed to a method of treatment for MAD2 associated disease;

Group VII - claim 19, directed to a method of treating cancer cells containing an abnormal amount of MAD2; and

Group VIII - claims 20-22, directed to a recombinant eukaryotic cell comprising a primary MAD2 gene and at least one secondary gene.

Applicants elects group I, including claims 1-7, for prosecution in this application. Further, as required by the Examiner, Applicants elect Tub1 as the single secondary gene.

This restriction requirement is respectfully traversed as follows.

The inventive concept which links all of the pending claims is the realization that cells harboring a Mad2 mutation are useful targets for drug screening, particularly cancer drug. Applicants have discovered that mutations in Mad2 interfere with cell growth and/or replication when coupled to secondary gene mutations. The subject matter of each of the pending claims relies upon this discovery. Thus, the various groups are linked through a single inventive concept, and do not represent distinct inventions that require separate searching and examination.

It is respectfully submitted that this response is a complete response to the Restriction requirement.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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